

REMARKS

Claims 1, 2, 4-10 and 17-20 are pending in this application. By this Amendment, claims 1 and 5 are amended, and claims 19 and 20 are added. The amendments and added claims introduce no new matter. Claims 3 and 11 are canceled without prejudice to, or disclaimer of, the subject matter recited in those claims. A Terminal Disclaimer is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action provisionally rejects claims 1-12, 17 and 18 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-34 of co-pending U.S. Patent Application No. 10/788,449 in view of U.S. Patent No. 6,756,252 to Nakanishi and U.S. Patent No. 6,445,069 Ling et al. (hereinafter "Ling"). The attached Terminal Disclaimer obviates this provisional rejection. Withdrawal of the provisional nonstatutory obviousness-type double patenting rejection is respectfully requested.

The Office Action rejects claims 1, 3-5, 11, 12, 17 and 18 under 35 U.S.C. §103(a) over Nakanishi in view of Ling; rejects claims 6 and 7 under 35 U.S.C. §103(a) over Nakanishi in view of Ling and U.S. Patent No. 6,625,032 to Ito et al. (hereinafter "Ito"); and rejects claims 2 and 8-10 under 35 U.S.C. §103(a) over Nakanishi in view of Ling, Ito and JP-A-01-164044 (hereinafter "JP '044"). These rejections are respectfully traversed.

The Office Action relies on Nakanishi as disclosing several of the features of independent claims 1 and 5. The Office Action concedes that Nakanishi does not teach the insulating section having a convex surface ascending from the first surface to have a top surface and having a portion above the first surface that has a lower surface than the top surface. The Office Action alleges that such features are considered to be an obvious change in shape and relies on *In re Dailey*, 357 F.2 669, 149 USPQ 47 (CCPA 1966). However, the allegedly obvious claim features are not simply an obvious change in shape implicating the

precedent of *Dailey*. In *Dailey*, the court considered the shape of the top and bottom sections of a container that were recited as "a portion of a sphere less than a hemisphere." The court found that such a configuration of a container was not shown to be significant. On the contrary, the recited configurations of the convex surface are significant, as described, for example, on page 13, line 18 - page 14, line 6, of Applicants' specification, as filed. Without conceding the interpretation of the Office Action, claims 1 and 5 are amended to include features similar to those of now-canceled claims 3 and 11, respectively, and to clarify other features. The applied references do not teach, nor can they reasonably be considered to have suggested, such combinations of features.

For example, claim 1 recites, among other features, an insulating section that has a first portion disposed on the passivation film and a second portion disposed adjacent to the chip component, the insulating section being formed to come to an end at a position a distance away from the middle layer, and an interconnect that is formed to extend from above the uppermost layer of the metal layer to above the interconnect pattern, the interconnect having a first section disposed on the passivation film and a second section disposed over the insulating section, the interconnect covering all the lateral surfaces of the metal layer. Claim 5 recites similar features. Support for these features can be found, for example, on page 13, line 17- page 14, line 6, and Fig. 4, of Applicants' specification, as filed. The allegedly corresponding insulating section and interconnects of Nakanishi are not configured in a corresponding manner. Nor would modifying Nakanishi to include the passivation layer 13 of Ling render obvious the specific configuration of components recited in the pending claims. The other references are not applied in a manner to overcome the above-identified shortfalls in the application of the combination of Nakanishi and Ling to the subject matter of the pending claims.

For at least the above reasons, the applied references do not teach, nor can they reasonably be considered to have suggested, the combinations of features positively recited in independent claims 1 and 5. Additionally, claims 2, 4, 6-10, 17 and 18 are also neither taught, nor would they have been suggested, by the applied references for at least the respective dependence of these claims, directly or indirectly, on an allowable base claim, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1, 2, 4-10, 17 and 18 over the applied references are respectfully requested.

Added claim 19 is also allowable at least for its dependence on an allowable base claim, as well as for the separately patentable subject matter that this claim recites.

Added claim 20 is also allowable at least for the inclusion of similar features to those discussed above, as well as additional features regarding the configuration of the insulating section, including, for example, the insulating section having an edge disposed between the pad and a part of a periphery of the chip component on which the insulating section is disposed, the edge being closest of the insulating section to the pad.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4-10 and 17-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Terminal Disclaimer

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